

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

| | | |
|--------------------------|---|---------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | No. 4:19CR000212-JM |
| |) | |
| KESHAWN BOYKINS |) | |

UNITED STATES' MOTION IN LIMINE REGARDING
PLEA NEGOTIATIONS AND SENTENCING

The United States by and through Jonathan D. Ross, United States Attorney, and Kristin H. Bryant and Benecia B. Moore, Assistant United States Attorneys, for its Motion in Limine states:

This matter is currently scheduled for trial commencing March 28, 2022. The United States requests the Court preclude Defendant from referencing the following issues: (1) any and all plea negotiations that have taken place or may take place; and (2) any potential sentence the Defendant may face if convicted and the fact that he is in custody.

1. Pleas Negotiations

Counsel for the United States and Defendant's counsel have engaged in discussions regarding a negotiated plea of guilty in this case. The undersigned respectfully moves this Court to order that none of the discussions regarding any potential resolution of the case be disclosed to the jury at trial as they are not relevant.

2. Potential Sentence

The defendant faces a mandatory minimum sentence on all four counts charged in the Third Superseding Indictment. Eighth Circuit Model Jury Instruction 3.12 notes, in part, that any sentence to be imposed in the event that a defendant is found guilty is the responsibility of the Court. The jury is instructed not to consider punishment in any way in deciding whether the

government has proved its case beyond a reasonable doubt.

The United States respectfully requests this Court instruct the parties that no argument or reference to punishment for the offenses charged under the pending Third Superseding Indictment be disclosed or argued in the presence of the jury. Furthermore, the defendant should not be allowed to reference that he is in custody.

WHEREFORE, the United States respectfully urges this Court grant its Motion in Limine.

Respectfully Submitted,

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